

EXECUTIVE COUNCIL OF IOWA AGENDA

- Teleconference Only -

Conference Call Phone Number: (866) 685-1580

Conference Code Pin: 0009990993

10:00 AM

March 8, 2021

1. Approval of minutes from the Executive Council meeting held on February 15, 2021
2. Personal Appearance –
 - A. Dennis Harper, Recovery Division Administrator, Iowa Department of Homeland Security and Emergency Management, will be present to request a Contingency Fund Loan for the City of Nashua.
TAB # 1
3. Iowa Code §7D.10 – Page 1
TAB # 2
4. Outside Counsel – Page 1
TAB # 3
5. Special Counsel – Pages 1 – 2
TAB # 4, 5
6. Emergency Allocations – Page 2
7. Payment of Cost Items – Pages 3 – 4

3. Iowa Code §7D.10

- A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$22,400.00.

TAB # 2

4. Outside Counsel

- A. The Department of Justice, Attorney General's office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Kelly Hartz v. University of Iowa Hospitals & Clinics; State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.

Attorney: Ryan Clark
505 5th Avenue
Suite 729
Des Moines, IA 50309

Rate: \$140.00 Per Hour

TAB # 3

5. Special Counsel

- A. The Department of Justice, Attorney General's office requests retention of special counsel pursuant to Iowa Code section 13.7 to provide specialized legal services and representation to the Iowa Department of Revenue (IDR) with respect to centrally-assessed property tax cases against Buckeye Terminals, LLC and Buckeye Pipe Line Transportation, LLC (the Buckeye matters).

Firm: Whitt Law, LLC

Supervising Attorneys: Stuart L. Whitt and Joshua L. Whitt
70 South Constitution Drive
Aurora, IL 60506

Rate: Fees will range from \$250 to \$210 per hour. Fees and associated costs will be paid by IDR from the Litigation Expense Fund pursuant V to Iowa Code section 441.73.

TAB # 4

- B. The Department of Justice, Attorney General's office requests retention of special counsel to provide legal advice to the Treasurer's Office on probate issues in connection with the disposition of unclaimed property.

Firm: Wandro & Associates. PC
2501 Grand Avenue
Suite B
Des Moines, IA 50312

Rate: For probate matters, the firm proposes a flat fee of \$75 for routine matters and \$175 for more complicated matters. For probate matters that cannot be resolved at a flat rate, the firm would charge hourly rates that range from \$250 to \$150 per hour. When hourly rates within this range are charged, the firm proposes to utilize attorneys with the lowest hourly rates who have the appropriate level of experience and knowledge. The firm may utilize a paralegal, as appropriate, at an hourly rate of \$90. All attorney fees and costs will be paid from the Unclaimed Property Fund.

TAB # 5

6. Emergency Allocations

- A. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$1,255.23. This increases the total allocation to \$31,956.32. On July 11, 2020, Vehicles #1519, #1524, #1526, #2258 and #105740 were damaged by. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

- B. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$1,828.23. This brings the total allocation to \$5,185.43. On May 31, 2020, State Patrol Vehicles 140 & 354 were damaged by protests/riots. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

- C. On October 5, 2020, the Executive Council approved an emergency allocation for the Department of Public Safety the amount of \$7,797.13. The final invoices and supporting documentation came in under the \$2,000.00 minimum threshold for 29C.20 claims.

The State Auditor's Office has reviewed this request and recommends Executive Council close the allocation and revert the amount of \$7,797.13 to the State Treasury.

7. **Payment of Cost Items**

- A. Department of Natural Resources\$4,028.03
Drainage Assessments Pursuant to Iowa Code Section 468.43:

Cerro Gordo	\$414.00
Polk	\$3,614.03

Michael J. Moss, Assistant Attorney General, has reviewed this request and recommends payment.

- B. Michael Marquess.....\$5,000.00
2183 Docks Drive
Garwin, IA 50632
Tribal cases when the offenses are committed by non-natives against non-natives (or without a victim) on the Sac and Fox Indian Settlement in Tama County

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the General Fund.

- C. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$235.38
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Legal Services to state agencies on issues related to the visa status of prospective state employees

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Iowa Department of Revenue.

- D. Patterson Law Firm L.L.P.....\$140.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Melody Colvin v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- E. Hall Render Killian Heath & Lyman P.C. (Baker).....\$1,206.57
PO Box 771910
Detroit, MI 48277-1910
University of Iowa Hospitals and Clinics (UIHC) Appeals

Jeffrey S. Thompson, Solicitor General, has reviewed these invoices and recommends payment. Payment will be made from the funds of the University of Iowa Hospitals and Clinics.

- F. Hall Render Killian Heath & Lyman P.C. (Baker).....\$431.91
PO Box 771910
Detroit, MI 48277-1910
University of Iowa Hospitals and Clinics (UIHC) Appeals

Jeffrey S. Thompson, Solicitor General, has reviewed these invoices and recommends payment. Payment will be made from the funds of the University of Iowa Hospitals and Clinics.

- G. Hall Render Killian Heath & Lyman P.C. (Baker).....\$739.41
PO Box 771910
Detroit, MI 48277-1910
University of Iowa Hospitals and Clinics (UIHC) Appeals

Jeffrey S. Thompson, Solicitor General, has reviewed these invoices and recommends payment. Payment will be made from the funds of the University of Iowa Hospitals and Clinics.